

11/07  
K.S.  
UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

ALCHIMIA, INC.,

Plaintiff,

v.

PETER JACOBSON and MENTOR  
CAPITAL ASSOCIATES,

Defendants.

Civil Action No. 04-11908-DPW

WAIVER OF SERVICE OF SUMMONS

TO: Thomas W. Aylesworth, Esquire  
Tristan Cameron Snell, Esquire  
Nutter McClennen & Fish LLP  
World Trade Center West  
155 Seaport Boulevard  
Boston MA 02210-2604

I, Peter Jacobson, acknowledge receipt of your request that I waive service of summons in the action of *Alchimia, Inc. v. Peter Jacobson, et al.*, which is case number 04-11908-DPW in the United States District Court for the District of Massachusetts.

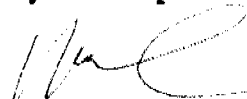
I have also received a copy of the complaint in the action, two copies of this instrument, and a means by which I can return the signed waiver to you without cost to me.

I agree to save the cost of service of a summons and an additional copy of the complaint in this lawsuit by not requiring that I be served with judicial process in the manner provided by Rule 4.

I will retain all defenses or objections to the lawsuit or to the jurisdiction or venue of the court except for objections based on a defect in the summons or in the service of the summons.

I understand that a judgment may be entered against me if an answer or motion under Rule 12 is not served upon you within 60 days after September 20, 2004.

10/20/04  
Date

  
Signature

Robert A. Burke, Esq  
Printed/Typed Name  
*Counsel for Peter Jacobson*